

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Desiree M.,

File No. 22-cv-2132 (ECT/JFD)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Martin J. O'Malley, *Commissioner of Social
Security*,

Defendant.

Magistrate Judge John F. Docherty issued a Report and Recommendation on December 18, 2023. ECF No. 27. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 27] is **ACCEPTED**;
2. Plaintiff Desiree M.'s Motion for Summary Judgment [ECF No. 15] is **GRANTED**;
3. Defendant Commissioner of Social Security's Motion for Summary Judgment [ECF No. 24] is **DENIED**; and

4. The Commissioner's decision is **REVERSED** and the matter is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for consideration of Dr. Amy Hilde-Philips's medical opinion pursuant to 20 C.F.R. § 404.1520c.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 10, 2024

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court